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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/151,321 09/11/98 YOSHIDA

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024367 WM31/0718
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EXAMINER

TRAN, D

ART UNIT

PAPER NUMBER

2624

DATE MAILED:

07/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/151,321	Applicant(s) YOSHIDA, EIICHI	
	Examiner Douglas Q. Tran	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on 23 April 2001 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- | | |
|--|--|
| 15) <input type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> | 20) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The Examiner approves proposed drawing changes filed on 4/23/01.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Maniva et al. (US Patent No. 5,768,483).

As to claim 1, Maniva teaches:

a controller (104 in fig 1 or 1004 in fig. 10) for selecting one of the plurality of image forming apparatuses connected with the network (102 in fig. 1, the server selects the printer based on a connection ID from the print job in col. 3, lines 10-15), wherein when the job (i.e., print job or scanning job) has a specific mode (i.e., print mode or scanning profile including scanning conditions such as a document size... discussed in col. 3, lines 42-44), said controller selects an image forming apparatus storing a specific mode job (col. 4, lines 26-29), said controller registers the job (i.e., scan profiles are transferred to scanner/printer controller 107) in the selected image forming apparatus (in fig. 8, profiles 1-n are exchange between a server 104 and copier 102, col. 21, lines 21-41).

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As to claims 2 and 3, Maniwa teaches the specific mode job which inherently requires temporary stopping the selected image forming apparatus before possessing a manual paper supply mode (col. 25, line 11).

As to claim 4, Maniva teaches specific mode job requiring changing paper positioned (col. 25, line 15-25) .

As to claim 5, Maniva teaches notice means (NIC 106 and Message to WS 103 in fig. 5) for notifying to set a paper (col. 25, line 5) using the job to the selected image forming apparatus.

As to claim 6, Maniva teaches controller selects an image forming apparatus not storing a specific mode job when the job is not a specific mode (col. 18, lines 60-65).

As to claim 7, Maniva teaches the controller selects an image forming apparatus not storing a job when an image forming apparatus storing a specific mode job cannot be referenced (col. 18, lines 60-65).

As to claim 8, Maniva teaches controller selects an image forming apparatus having the greatest remaining memory when an image forming apparatus storing no job cannot be referenced (col. 18, lines 60-65).

As to claim 9, Maniva teaches the controller receives information from an image forming apparatus regarding the size of paper attached to the image forming apparatus (in fig. 8, profiles from a server and a copier are the same) and selects an image forming apparatus storing a specific mode job and registers a job in the selected image forming apparatus (col. 17, lines 60-65) when no image forming apparatus has a paper suitable for the job (col. 18, lines 60-65).

As to claim 10, Maniva teaches notice means (NIC 106 and Message to WS 103 in fig. 5) for notifying to set a paper (col. 25, line 5) using the job to the selected image forming apparatus.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Maniwa et al. and Hiraike et al. (US Patent No. 5,995,718).

As to claim 11, Maniwa teaches:

a memory for storing jobs (i.e., print profiles 1-n in fig. 8);

discriminating means (i.e., MFSA. NLM) for discriminating whether any of the jobs stored in the memory stores a specific mode job in order to determine a status of the output device (col. 17, lines 60-63 and col. 18, lines 32-42);

reporting means (i.e., the scanner/printer controller 107) for reporting the status of the output device (col. 4, lines 36-46 and col. 18, lines 10-15 and 32-42; note: the MFS.NLM from the server receives or copies the print profiles from the output device, that means the output device has means for reporting the status of print profile in the memory to the MFS.NLM of the server).

Although Maniwa teaches the scanner/printer controller for reporting the status of the printer, Maniwa does not disclose the scanner/printer controller to report the status of the memory. The status of the printer memory, which is informed to an input device,

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would be included in the printer information because this feature is well known in the prior art. Furthermore, Hiraike teaches the status of the printer memory is informed to the network based on the status request command (col. 5, line 66 through col. 6, line 7).

It would have been obvious to have modified the scanner/printer controller of Maniwa in order to inform a status of the printer memory based on the request command as taught by Hiraike. The suggestion of modifying the system of Maniwa can be reasoned by one of ordinary skill in the art as set forth by Hiraike because Hiraike provides a printing apparatus whereby a high reliability, high efficiency system can be constructed by transmitting the status data after an automatic status selection and enabling the host computer to obtain the notifying of the required printing apparatus.

As to claim 12, Maniwa teaches the specific mode job is a job requiring temporary stop of an image forming (col. 9, lines 58-60).

As to claim 13, Maniwa teaches specific mode job is a job possessing a manual paper supply mode (col. 25, line 11).

As to claim 14, Maniwa teaches specific mode job is a job possessing a mode requiring exchange of a paper (col. 25, line 6) .

As to claim 15, Maniwa teaches image forming means for forming images on recording medium in order of the sequence of jobs stored in the memory (fig. 5).

As to claim 16, Maniwa teaches:
a plurality of plural image forming apparatuses (col. 15, lines 11-13) connected with the network and each having a memory (i.e., job queue in fig. 6) for storing jobs, discriminating means (i.e., MFSA. NLM) for discriminating whether the memory stores a specific mode job indicating a

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status of the printer (col. 17, lines 60-63 and col. 18, lines 38-42), and reporting means for reporting to the network the status of the output device (col. 4, lines 36-46 and col. 18, lines 10-15 and 32-42; note: the MFS.NLM from the server receives or copies the print profiles from the output device, that means the output device has means for reporting the status of print profile in the memory to the MFS.NLM of the server)..

a control device (104 in fig 1 or 1004 in fig. 10) for selecting an image forming apparatus connected (102 in fig. 1, the server receiving a connection ID and selecting the output device discussed in col. 3, lines 10-15) when with a network (101 in fig. 1) and registering a job (i.e., the job ID) in the selected image forming apparatus (col. 4, lines 26-28), wherein the control device selects a predetermined image forming apparatus (col. 15, lines 24-25) when the job is a specific mode (i.e., profiles col. 3, lines 42-59 and fig. 8).

the motivation of this claim is applied as in the motivation of claim 11.

As to claim 17, Maniva teaches the predetermined image forming apparatus stores a specific mode job (in system 102 stores profiles in fig. 8).

Response to Arguments and Amendment

Applicant's arguments filed 4/23/01 have been fully considered but they are not persuasive.

Applicant asserted in page 7 "The system of the Maniwa patent does not determine the printer based on a specific mode of a job or a specific mode job stored in a printer. That is to say, the Maniwa patent does not disclose a device comprising a controller, which ' selects an image forming apparatus storing a specific mode job". In reply, Maniwa clearly teaches a controller

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(104 in fig 1 or 1004 in fig. 10) for selecting one of the plurality of image forming apparatuses connected with the network (102 in fig. 1, the server selects the printer based on a connection ID from the print job in col. 3, lines 10-15), wherein when the job (i.e., print job or scanning job) has a specific mode (i.e., print mode or scanning profile including scanning conditions such as a document size... discussed in col. 3, lines 42-44), said controller selects an image forming apparatuses storing a specific mode job (col. 4, lines 26-29), said controller registers the job (i.e., scan profiles are transferred to scanner/printer controller 107) in the selected image forming apparatus (in fig. 8, profiles 1-n are exchange between a server 104 and copier 102, col. 21, lines 21-41).

Applicant asserted in pages 8 and 9 “ In contrast, the Maniwa patent does not disclose or suggest a discriminating means for discriminating whether any of the jobs stored in the memory of the image forming apparatus is a specific mode job in order to determine a status of the memory.” In reply, Maniwa teaches discriminating means (i.e., MFSA. NLM) for discriminating whether any of the jobs stored in the memory stores a specific mode job in order to determine a status of the output device (col. 17, lines 60-63 and col. 18, lines 32-42); and reporting means (i.e., the scanner/printer controller 107) for reporting the status of the output device (col. 4, lines 36-46 and col. 18, lines 10-15 and 32-42; note: the MFS.NLM from the server receives or copies the print profiles from the output device, that means the output device has means for reporting the status of print profile in the memory to the MFS.NLM of the server). Although Maniwa teaches the scanner/printer controller for reporting the status of the printer, Maniwa does not disclose the scanner/printer controller to report the status of the memory. The status of the printer memory, which is informed to an input device, would be included in the printer information

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because this feature is well known in the prior art. Furthermore, in order to submit the deficiency of Maniwa, Hiraike teaches the status of the printer memory is informed to the network based on the status request command (col. 5, line 66 through col. 6, line 7) which would have been obvious to have modified the scanner/printer controller of Maniwa.

For the above reasons, it is believed that the cited prior art fully discloses the claimed invention and the rejection stand.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

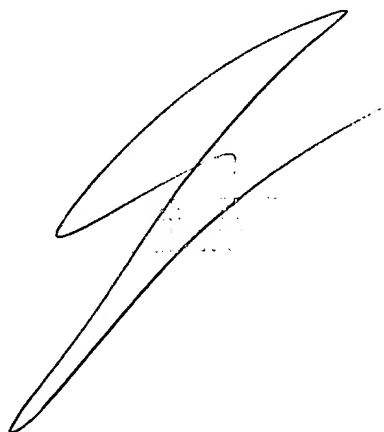
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or e-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran

Jul. 14, 2001

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a cursive 'Q' and 'Tran'.